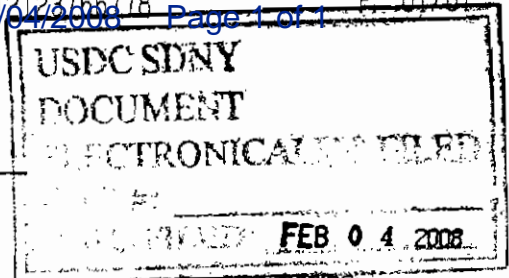


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February 2008

**VIA TELEFAX ONLY 516-805-0426**

Honorable Laura Taylor Swain  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMORANDUM ENDORSED**

The ECF system provides notice of the entry of this Order to each party that has both entered an appearance in this case and registered with ECF. The ECF-registered attorneys are responsible for providing notice to any co-counsel whose e-mail addresses are not reflected on the ECF docket for this case, and Plaintiff's counsel, upon receiving notice of this Order, is hereby ordered to fax or otherwise deliver promptly a copy to all parties who are not represented by ECF-registered counsel. A certificate of such further service shall be filed within 5 days from the date hereof. Counsel who have not registered for ECF are ordered to register immediately as filing users in accordance with the Procedures for Electronic Case Filing.

RE: Great American Insurance Company a/  
Price and Pierce International, Inc. v.  
COSCO Container Lines and COSCO  
Container Lines Americas, Inc.  
07 Civ 6913 (LTS)  
Our Ref.: 07-A-004-JPK

Honorable Laura Taylor Swain:

Further to the captioned matter, Your Honor may recall that the captioned matter was set for conference this coming Thursday, February 7, 2008 at 2:00 p.m. We have continued in our discussions with counsel retained on behalf of defendant Cosco Container Lines, although they have yet to file a formal Answer and Appearance, we have been engaged aggressively in negotiating a settlement of this case due to the overall amount involved. We believe that we are very close to obtaining a settlement although we cannot confirm a settlement has been reached today.

We would request, nonetheless, that Your Honor permit us to continue our negotiations without the requirement of attendance at the conference next week as we do believe this matter will be settled shortly. We would request, also, that Your Honor confirm the conference scheduled for February 7, 2008 be adjourned for thirty (30) days so we may continue our settlement negotiations on an amicable basis and without the incurrence of further costs on the part of the defendant in filing an Answer.

We respectfully request that Your Honor favorably consider this request for adjournment of the conference as aforesaid.

Respectfully submitted,

BADIAK & WILL, LLP

JAMES P. TRAUZLIS

*The conference is  
adjourned to March 7, 2008  
at 10:15 AM.*

SO ORDERED.

JPK/lmw

cc: **VIA TELEFAX ONLY 516-767-3605**  
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LAURA TAYLOR SWAIN  
UNITED STATES DISTRICT JUDGE